IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWELFTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 10936 of 2004

Between:

Shaik Pentu, s/o Shaik Volya Saheb,
r/o H.No.3-604, Near Jama Masjid, Bazar Wadi,

Asifabad, Adilabad.

..... PETITIONER

AND

The Depot Manager, A.P.S.R.T.C.,

Manchiryal Depot, Adilabad District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of writ of mandamus directing the respondent herein to pay all the Monitory benefits such as Gratuity, P.F., C.G.S., S.M.B.F., etc., with interest 12% p.a., which the petitioner is entitled as per law and also as per the Regulations of A.P.S.R.T.C., within 15 days from the date of the order passed in the writ petition by duly declaring the inaction on the part of the respondent in payment of monitory benefits as illegal, arbitrary and violative of Art.14, 16 and 21 and 300-A of the Constitution of India.

Counsel for the Petitioner:MR.V.RAVI KIRAN RAO

Counsel for the Respondent: SMT.G.JYOTHI KIRAN

The Court at the admission stage made the following ORDER:

The present writ petition is filed by the petitioner aggrieved by the action of the respondent in not paying the monetary benefits viz., Gratuity, P.F., C.C.S., S.M.B.F. etc., with interest at the rate of 12% per annum to him.

It is the case of the petitioner that as he was removed from his service, he is entitled for the above mentioned monetary benefits. If the petitioner is otherwise, eligible for the monetary benefits, the same has to be paid by the respondent's Corporation. Therefore, at request of both the Counsel, the writ petition can be disposed of directing the respondent's Corporation to take appropriate decision.

In the circumstances, the writ petition is disposed of directing the respondent's Corporation to settle and pay the monetary benefits to the petitioner, if he is otherwise eligible, within a period of three months from the date of receipt of a copy of this order. In the circumstances, no costs.

12th JULY, 2004.

Note: furnish c.c. in one week.

B/o

kvni

To

1 The Depot Manager, A.P.S.R.T.C.,

Manchiryal Depot, Adilabad District.

2 Two CD copies.